

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

THIS DOCUMENT RELATES TO ALL
ACTIONS.

MDL No. 1456

Master File No. 01-CV-12257-PBS

Judge Patti B. Saris

Magistrate Judge Marianne B. Bowler

PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL

Plaintiffs, by their attorneys, respectfully move this Court for leave to file the following documents under seal: (a) Exhibits D and E of Supplement to Plaintiffs' Motion For Leave to Set Aside the Ten Deposition Limit With Respect to Defendant AstraZeneca Regarding 30(b)(6) Deposition Related to Sales Training ("sales training supplement"); (b) Supplement To Plaintiffs' Motion to Compel and for Finding that Documents and Testimony Related to AstraZeneca's Pricing, Marketing, and Sales of its Products are not Protected by the Attorney-Client Privilege Related to AstraZeneca's Refusal To Disclose Non-Privileged Communications Related to Internal Investigations ("internal investigation supplement"); and (c) Plaintiffs' Motion to Compel Deposition of David Brennan ("motion to compel").

1. Pursuant to Paragraph 14 of the Protective Order (Dec. 13, 2002), the parties may designate documents "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL."

2. Exhibits D and E to plaintiffs' sales training supplement are deposition testimony and documents designated as HIGHLY CONFIDENTIAL by AstraZeneca. Plaintiffs' internal investigation supplement and motion to compel cite extensively to documents and testimony likewise designated as HIGHLY CONFIDENTIAL by AstraZeneca.

3. Because counsel for AstraZeneca has designated these documents and deposition testimony as HIGHLY CONFIDENTIAL, plaintiffs respectfully request leave to file their sales

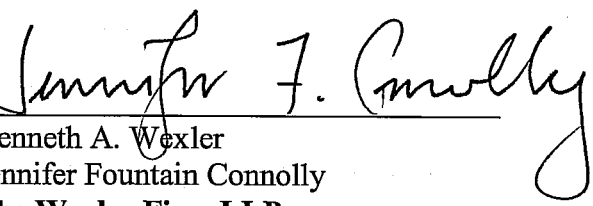
training supplement, internal investigation supplement, and motion to compel under seal (and have done so contemporaneously with the filing of this motion).

WHEREFORE plaintiffs respectfully request that this Court grant them leave to file the pleadings and documents described herein, under seal, and all other relief that this Court deems just and proper.

Dated: August 31, 2005

Respectfully submitted,

By: _____

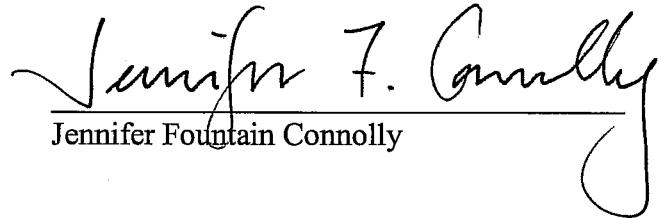

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CERTIFICATE OF SERVICE BY VERILAW

Docket No. MDL 1456

I, Jennifer Fountain Connolly, hereby certify that I am one of plaintiffs' attorneys and that, on August 31, 2005, I caused copies of *Plaintiffs' Motion for Leave to File Under Seal* to be served on all counsel of record by causing same to be posted electronically via Verilaw.


Jennifer Fountain Connolly